

Notice of Allowability	Application No.	Applicant(s)	
	09/900,479	TRIFONOV ET AL.	
	Examiner	Art Unit	
	Wes Tucker	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to after-final amendment filed September 12th 2005.
2. ☒ The allowed claim(s) is/are 2, 4, 6, 8-17, 19-22, 24-25, 27 and 31-46.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>6-8-06</u>. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
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DETAILED ACTION

Response to Arguments

1. Applicant's after-final response filed September 12th 2005 has been entered and made of record. Applicant has amended claim 34. Claims 1, 3, 5, 7, 18, 23, 26, 28, 29 and 30 are canceled. New claims 45 and 46 have been added. Claims 2, 4, 6, 8-17, 19-22, 24-25, 27 and 31-46 are currently pending.

2. Applicant's arguments have been fully considered and are found persuasive in view of the telephone interview between Examiner and Applicant's representative Peter B. Scull Reg. No. 37,932 held on June 8, 2006. Agreement was reached with regard to an Examiner's amendment of independent claims 31 and 34.

3. The amendment to the specification was previously objected to as introducing new matter, namely the change in the value of the coefficients in the formulas. In view of applicant's remarks and discussion it is agreed that the changing of the coefficients in the formulas as merely typographical in nature and does not raise any enablement or new matter issues. The objection is withdrawn in view of Applicant's remarks.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Peter B. Scull Reg. No. 37,932 held on June 8, 2006.

The application has been amended as follows:

Please amend Claim 31 in line 2 of the claim, after the phrase "detecting line defects" insert the phrase "by application of a local radial angular transform".

Please amend Claim 34 in line 3 of the claim, after the phrase "detecting line defects" insert the phrase "by application of a local radial angular transform".

Allowable Subject Matter

5. Claims 2, 4, 6, 8-17, 19-22, 24-25, 27 and 31-46 are allowed.

The following is an examiner's statement of reasons for allowance:

In the Examiner's amendment claims 31 and 34 were amended to include the language of detecting line defects "by application of a local radial angular transform." Accordingly the discussion below accordingly applies to claims 31 and 34 in their newly amended form.

Applicant argues the combination of the references to Trifonov and Fiete in the rejections of independent claims 2, 17, 32, 33, 35 and 40. Trifonov is cited to teach the use of local radial angular transforms to detect contours. Trifonov does not explicitly teach detecting line defects using local radial angular transforms. Fiete is cited to teach adjusting the image to correct the detected line defects. As Applicant points out in the remarks on page 14, Fiete and Trifonov operate in very different manners. Fiete detects streaks in a columnar manner while Trifonov applies local radial angular transforms, which operate on clusters of pixels held in hexagonal groupings. There would therefore be no motivation to teach or reasonably suggest the modification of one of the references to include the other. None of the found prior art teaches or fairly suggests the use of a local radial angular transform to detect and correct for line-like defects in digital images. Therefore independent claims 2, 17, 32, 33, 35 and 40 are allowed. Accordingly the newly authorized Examiner amended claims 31 and 34 are also allowed as well as all of the subsequent dependent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wes Tucker whose telephone number is 571-272-7427. The examiner can normally be reached on 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 571-272-2214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Wes Tucker

6-8-06


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